

MINUTES

MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION

COMMITTEE ON ENERGY AND TELECOMMUNICATIONS

Call to Order: Chair Duane Ankney, on April 6, 2017 at 3:00 PM, in Room 317 Capitol

ROLL CALL

Members Present:

Sen. Duane Ankney, Chair (R)
Sen. Pat Connell, Vice Chair (R)
Sen. Dick Barrett (D)
Sen. Mark Blasdel (R)
Sen. Douglas (Doug) Kary (R)
Sen. Sue Malek (D)
Sen. Mary McNally (D)
Sen. Keith Regier (R)
Sen. Tom Richmond (R)
Sen. Jason D. Small (R)
Sen. Russel (Russ) Tempel (R)
Sen. Gene Vuckovich (D)
Sen. Cynthia Wolken (D)

Members Excused: None

Members Absent: None

Staff Present: Charlene Devine, Committee Secretary
Sonja Nowakowski, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 585, 3/30/2017; HB 365, 3/30/2017; HB 604, 4/4/2017
Executive Action: SR 6, Be Adopted; HB 216, Be Concurred In; HB 585, Be Concurred In;
HB 604, Be Concurred In As Amended; HB 365, Be Concurred In

00:00:43 Chair Ankney
00:01:10 Vice Chair Connell

HEARING ON HB 585

Opening Statement by Sponsor:

00:01:50 Rep. Austin Knudsen (R), HD 34, opened the hearing on HB 585, Provide for loans to an owner of a coal-fired generating unit.

Proponents' Testimony:

00:03:25 Jon Metropoulos, Talen Montana

Opponents' Testimony: None

Informational Testimony:

00:05:56 Doug Hill, Montana Board of Investments (BOI)

Questions from Committee Members and Responses:

00:06:21 Sen. Regier
00:06:38 Mr. Hill, BOI
00:06:58 Sen. McNally
00:07:46 Sen. Malek
00:08:23 Mr. Hill

Closing by Sponsor:

00:09:00 Rep. Knudsen
00:10:57 Chair Ankney

HEARING ON HB 604

Opening Statement by Sponsor:

00:11:10 Rep. Bill Harris (R), HD 37, opened the hearing on HB 604, Generally revise public safety communication laws.

EXHIBIT(ens72a01)

Proponents' Testimony:

00:13:43 Geoff Feiss, Montana Telecommunications Association (MTA)
00:17:47 Jessie Luther, Association of Montana Troopers
00:19:11 Harold Blattie, executive director, Montana Association of Counties
00:20:21 Tim Burton, Montana League of Cities and Towns
00:21:43 Bob Drake, fire chief, Tri-Lakes Volunteer Fire Department

00:22:33 Colonel Tom Butler, Montana Highway Patrol (MHP)

[EXHIBIT\(ens72a02\)](#)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:24:15 Sen. Connell
00:24:52 Mr. Butler, MHP
00:25:16 Sen. Connell
00:27:36 Mr. Feiss, MTA
00:27:50 Sen. Malek
00:28:30 Mr. Feiss
00:29:51 Sen. Richmond
00:32:03 Mr. Feiss
00:32:31 Sen. Tempel
00:33:27 Mr. Feiss
00:33:39 Chair Ankney
00:36:27 Mr. Butler
00:38:19 Sen. Connell

Closing by Sponsor:

00:38:54 Rep. Harris
00:41:33 Chair Ankney

HEARING ON HB 365

Opening Statement by Sponsor:

00:41:52 Rep. Ray Shaw (R), HD 71, opened the hearing on HB 365, Revise underground utility laws.

Proponents' Testimony:

00:44:30 Doug Hardy, Montana Electric Cooperatives' Association (MECA)

[EXHIBIT\(ens72a03\)](#)

00:57:24 Dale Schultz, NorthWestern Energy (NWE)

[EXHIBIT\(ens72a04\)](#)

[EXHIBIT\(ens72a05\)](#)

01:02:52 Brad Johnson, Montana Public Service Commission
01:05:19 Cary Hegreberg, executive director, Montana Contractors Association (MCA)
01:08:54 Abigail St. Lawrence, Montana Building Industry Association

01:10:35 Michelle Slyder, compliance manager, Pipelines and Terminals at CHS, Montana Liquid and Gas Pipeline Association

EXHIBIT(ens72a06)

01:12:39 Harold Blattie, executive director, Montana Association of Counties

01:15:00 Gary Forrester, Montana Dakota Utilities Resources, Inc.

01:16:32 Geoff Feiss, Montana Telecommunications Association

01:17:25 Steve Wade, Phillips 66

01:18:10 Josh Hinrichs, ELM Locating and Utility Services

01:19:30 J.P. Gordon, Montana Utility Coordinating Council, Flathead Valley Utility Coordinating Council, Inc.

01:20:21 Kelly Johns, Montana 811 Call Center, Montana One Call Center, Flathead Valley Utility Coordinating Council, Inc.

Opponents' Testimony:

01:22:10 Mark Baker, Denbury Resources

Informational Testimony:

01:28:58 Mark Cadwallader, Department of Labor and Industry (DLI)

Questions from Committee Members and Responses:

01:29:35 Sen. Wolken

01:30:31 Mr. Cadwallader, DLI

01:31:37 Sen. Wolken

01:31:52 Sen. Malek

01:33:40 Mr. Hardy, MECA

01:34:48 Mr. Schultz, NWE

01:36:42 Sen. McNally

01:37:14 Mr. Hegreberg, MCA

Closing by Sponsor:

01:38:27 Rep. Shaw

01:39:57 Chair Ankney

01:41:03 Recess

01:45:59 Reconvene

EXECUTIVE ACTION ON SR 6

01:50:27 Chair Ankney

01:50:33 Sen. Connell

01:51:27 Chair Ankney

01:51:35 **Motion:** Sen. Connell moved that **SR 6 BE ADOPTED.**

Discussion:

01:51:54 Sonja Nowakowski, Legislative Services Division
 01:52:01 Chair Ankney
 01:52:40 Sen. Connell
 01:53:21 Sen. Regier

01:53:48 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 216

01:54:16 **Motion:** Sen. Connell moved that **HB 216 BE CONCURRED IN.**

Discussion:

01:54:28 Sonja Nowakowski, Legislative Services Division
 01:54:56 Sen. McNally
 01:55:09 Sen. Tempel

01:55:31 **Vote:** Motion carried unanimously by voice vote. Sen. Richmond will carry the bill.

EXECUTIVE ACTION ON HB 585

01:55:51 **Motion:** Sen. Connell moved that **HB 585 BE CONCURRED IN.**

Discussion:

01:56:26 Sen. Connell
 01:56:41 Chair Ankney
 01:57:13 Sen. Regier
 01:57:25 Sen. Wolken
 01:57:52 Sen. Ankney
 01:58:22 Sen. McNally
 01:59:07 Sen. Ankney
 01:59:14 Sen. McNally
 01:59:23 Sen. Connell

01:59:41 **Vote:** Motion carried 10-3 by roll call vote with Sen. Barrett, Sen. Malek and Sen. McNally voting no. Sen. Ankney will carry the bill.

EXECUTIVE ACTION ON HB 604

02:00:38 **Motion:** Sen. Connell moved that **HB 604 BE CONCURRED IN.**

Discussion:

02:00:53 Sonja Nowakowski, Legislative Services Division (LSD)
 02:01:20 Sen. Connell
 02:01:33 Ms. Nowakowski, LSD

02:01:49 **Motion/Vote:** Sen. Connell moved that **HB 604 BE AMENDED**. Motion carried unanimously by voice vote.

EXHIBIT(ens72a07)

02:02:19 **Motion/Vote:** Sen. Connell moved that **HB 604 BE CONCURRED IN AS AMENDED**. Motion carried unanimously by voice vote. Sen. Connell will carry the bill.

EXECUTIVE ACTION ON HB 365

02:02:53 **Motion:** Sen. Connell moved that **HB 365 BE CONCURRED IN**.

02:03:30 **Motion:** Sen. Richmond moved that **HB 365 BE AMENDED**.

EXHIBIT(ens72a08)

Discussion:

02:03:48 Sen. Richmond
02:06:02 Sen. Malek
02:06:21 Sen. Richmond
02:06:57 Sen. McNally
02:08:49 Ms. Nowakowski
02:09:05 Sen. Connell
02:10:14 Rep. Shaw
02:10:36 Sen. Connell
02:10:40 Ms. Nowakowski
02:10:49 Sen. Barrett
02:14:16 Rep. Shaw
02:14:55 Chair Ankney
02:16:58 Sen. Kary
02:17:09 Ms. Nowakowski
02:17:40 Sen. Malek
02:18:27 Sen. Richmond
02:20:50 Sen. Barrett

02:22:21 **Vote:** Motion failed 4-9 by roll call vote with Sen. Blasdel, Sen. Kary, Sen. K. Regier and Sen. Richmond voting aye.

02:24:22 **Motion/Vote:** Sen. Connell moved that **HB 365 BE CONCURRED IN**. Motion carried unanimously by voice vote. Sen. Regier will carry the bill.

ADJOURNMENT

Adjournment: 6:45 PM

Charlene Devine, Secretary

cd

Additional Documents:

EXHIBIT([ens72aad.pdf](#))